

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**ERIC DANTE PITT,  
For himself and on behalf of all  
similarly situated individuals.**

**Plaintiffs,**

**v.**

**CIVIL ACTION NO.: 3:11-cv-00697-JAG**

**K-Mart Corporation, a wholly owned subsidiary  
of Sears Holdings Corporation**

**Defendant.**

**JOINT MOTION FOR ENLARGEMENT OF TIME TO FILE PRELIMINARY  
APPROVAL PAPERS AND SETTLEMENT DOCUMENTS**

The Parties have reached a class settlement in this case and continue in earnest to reduce the compromise to paper and to prepare and reach agreement on the related pleadings necessary to seek Rule 23(e) approval. In November, the Parties' counsel represented to United States Magistrate Judge Lauck their belief and expectation that the transaction and pleadings would be completed for filing within thirty (30) days. They were wrong. The drafting has taken longer due to the multiple parties – including at least two that are not before the Court – that have participated in the process.

On November 29, 2012, Judge Lauck entered an order requiring the filing of the settlement papers and pleadings within thirty (30) days (Docket No. 50). The Parties now ask the Court for further leave to enlarge this deadline through January 18, 2013 (twenty additional days). They are optimistic that the filing will be made before that date, but ask for the full period out of caution.

By: \_\_\_\_/s/\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

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